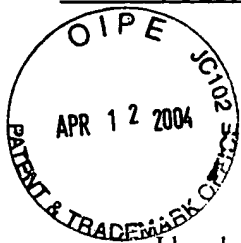


In re Application of Galloway, et al.  
"Multilayer Thermoplastic Films and Packages Made Therefrom"  
U.S. Patent App. No. 09/369,980  
Docket No. 24180-044009

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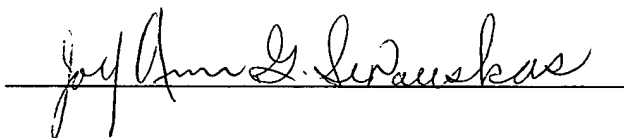
Certificate of Delivery by First Class Mail

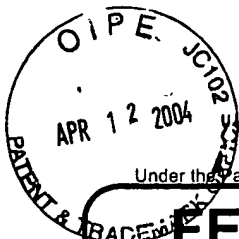
I hereby certify that the following documents:

1. Fee Transmittal (1 p. - in dup.);
2. Supplemental Information Disclosure Statement (2 pp.);
3. Form PTO-1449 (2 pp.);
4. Copies of Cited References (AA-AR) and
5. Return Postcard.

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for the above-identified application are being mailed via first class mail, postage prepaid, to U.S. Patent and Trademark Office 2011 South Clark Place, Customer Window, Mail Stop AF, Crystal Plaza Two, Lobby, Room 1B03, Arlington, Virginia 22202 on April 6, 2004.





Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 180

## Complete if Known

Application Number 09/369,980  
Filing Date July 30, 1999  
First Named Inventor Galloway  
Examiner Name R. Dye  
Art Unit 3627  
Attorney Docket No. 24180-044009

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## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

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Account  
Number  
Deposit  
Account  
Name

13-0206

McDermott, Will & Emery

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ )

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 180.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Joy Ann G. Serauskas	Registration No. (Attorney/Agent)	27,952	Telephone	312-372-2000
Signature	Joy Ann G. Serauskas	Date	April 6, 2004		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



41 64-13-04

3627-1

PATENT  
Docket No. 24180-044009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of: Galloway et al. )  
)  
)  
Appln. No.: 09/369,980 )  
)  
Filed: July 30, 1999 )  
)  
For: Multilayer Thermoplastic Films )  
and Packages Made Therefrom )  
)  
Examiner: R. Dye )  
)  
Art Unit: 3627 )

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop AF  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Dear Sir:

In accordance with 37 CFR §§ 1.56, 1.97 and 1.98, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. A copy of each reference cited is enclosed herein.

This Information Disclosure Statement is being submitted after the mailing date of a first Office Action on the merits. Therefore, Applicants have also submitted the appropriate fee under C.F.R. § 1.17 in order for the cited references to be considered.

The enclosed references were generated as the result of a Patent Interference (No. 105,092) between Cryovac, Inc. (Applications 09/583,654 and 08/996,367) and Pechiney Emballage Flexible

04/14/2004 EFLORES 00000052 130206 09369980

01 FC:1806 180.00 DA

In re Appln. of Galloway, et al.  
Appln. No. 09/369,980

Europe (Patent 6,437,064). U.S. Patent 6,437,064 claims priority from U.S. Serial No. 08/481,617, filed June 7, 1995 which is a continuation of U.S. Serial No. 08/082,226, filed June 24, 1993.

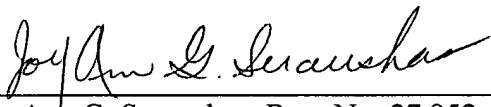
The references listed on the attached PTO Form-1449 do not represent all of the references generated by the Interferences proceedings, but only those references which have not already been cited to the Office.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any reference or other art, including the disclosures of those references and other information discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

The citation of the above documents and other information is not to be construed as an assertion that more pertinent art could not possibly be in existence.

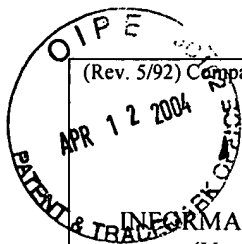
It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the enclosed Form PTO-1449 with initials or other appropriate remarks.

Respectfully submitted,

  
\_\_\_\_\_  
Joy Ann G. Serauskas, Reg. No. 27,952  
Agent for Applicant(s)

Date: April 6, 2004

McDERMOTT, WILL & EMERY  
227 West Monroe Street  
Chicago, Illinois 60606-5096  
tel. no.: (312) 372-2000  
fax. no. (312) 984-7700



(Rev. 5/92) Comparable to Form PTO-1449		Atty. Docket No. 24180-044009	App. No. 09/369,980
SUPPLEMENTAL INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		Applicants: Galloway et al.	
		Filing Date: July 30, 1999	Group: 3627

### U.S. PATENT DOCUMENTS

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	3,090,998	5/28/1963	Heisterkamp et al	18-57		
	AB	3,645,992	2/29/1972	Elston	260-80.78		
	AC	4,469,753	9/4/1984	Yoshimura et al.	428/475.8		
	AD	4,557,780	12/10/1985	Newsome et al.	156/244.11		
	AE	4,615,922	10/7/1986	Newsome et al.	428/35		
	AF	4,777,095	10/11/1988	Kondo et al.	428/476.1		
	AG	4,863,768	9/5/1989	Ishio et al.	428/34.9		
	AH	5,206,075	4/27/1993	Hodgson Jr.	428/216		
	AI	5,298,326	3/29/1994	Norpoth et al.	428/349		

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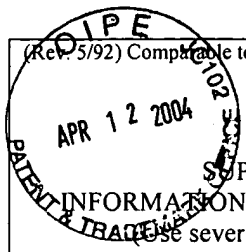
### FOREIGN PATENT DOCUMENTS

							Translation	
		Document Number	Date	Country	Class	Subclass	Yes	No
	AJ	JP 58-102762		Japan			Abstract	
	AK	EP 0 416815	March 1991	Europe				x

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AL	"Exact Polymers For Targeted Performance in Film Packaging," distributed at PACK Expo, Chicago, November 8-12, 1992.
	AM	"CGC Polyolefins Are For Applications With Many Major Packaging Markets, Says Dow," TECHPAK, October 5, 1992.
	AN	"New Polyolefin Resins Emerge: 'Branched Linear' Copolymers," Modern Plastics Int'l., November 1992, pp. 16-18.
	AO	Panagopoulos, Jr., G. et al., "New Generations High Performance LLDPE Blown Film Resins Superior Physical Properties and Processability," Dow Plastics, pp. 266-278.

Examiner	Date Considered:
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

 (Rev. 5/92) Comptroller to Form PTO-1449 SUPPLEMENTAL INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Atty. Docket No. 24180-044009	App. No. 09/369,980
	Applicants: Galloway et al.	
	Filing Date: July 30, 1999	Group: 3627

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**GROUP 3600**

## FOREIGN PATENT DOCUMENTS

							Translation	
	Document Number	Date	Country	Class	Subclass		Yes	No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
AP	Speed, C.S. et al., "Structure/Property Relationships in Exxpol™ Polymers," Society of Plastics Entineers, Polyolefins VII Int'l Conference, February 24-27, 1991, pp. 45-66.
AQ	Van der Sanden, D., " <i>A New Family of Linear Ethylene Polymers with Enhanced Sealing Performance</i> ," Proceedings of the 1991 Polymers, Laminations & Coatings Conference, September 3-6, 1991, pp. 289-297.
AR	Van der Sanden, D. et al., " <i>A New Family Of Linear Ethylene Polymers With Enhanced Sealing Performance Designed For Multilayer Barrier Food Packaging Films</i> ," Proceedings of the 1992 Polymers, Laminations & Coatings Conference, September 8-11, 1992, pp. 103-111.
Examiner	
Date Considered:	
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